

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH A. WHITE,

Defendant.

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CASE NO. 1:14-cr-00185-1

ORDER

[Resolving Doc. 278]

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

When the Court sentenced Defendant Kenneth White in this tax fraud case, the Court granted credit for time served.<sup>1</sup> Defendant White says that the Bureau of Prisons improperly calculated his time served credit. Proceeding pro se, White asks the Court to order the Bureau to re-calculate White's time served credits.<sup>2</sup>

The Court does not have the general authority to calculate time served credits.<sup>3</sup> The only way the Court can grant relief related to time served credits is under 28 U.S.C. § 2241.<sup>4</sup> Therefore, the Court construes White's request as a § 2241 petition.

However, "[§ 2241] jurisdiction lies in only one district: the district of confinement."<sup>5</sup> Here White is confined at FCI Gilmer in the Northern District of West Virginia.<sup>6</sup> So, White was required to file his § 2241 petition in the Northern District of West Virginia.

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<sup>1</sup> Doc. 127 at PageID #: 901.

<sup>2</sup> Doc. 278.

<sup>3</sup> *McClain v. Bureau of Prisons*, 9 F.3d 503, 505 (6th Cir. 1993) (citation omitted).

<sup>4</sup> *Id.*; see also *United States v. Peterman*, 249 F.3d 458, 461 (6th Cir. 2001) (explaining that "§ 2241 is appropriate for claims challenging the execution or manner in which the sentence is served").

<sup>5</sup> *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004).

<sup>6</sup> Doc. 278-1; Federal Bureau of Prisons, *Find an Inmate*, <https://www.bop.gov/inmateloc/> (search for BOP Register Number "36473-060") (last visited July 9, 2024); Federal Bureau of Prisons, *FCI Gilmer*, <https://www.bop.gov/locations/institutions/gil/> (last visited July 9, 2024).

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The Court **DISMISSES** White's motion, construed as a § 2241 petition, for lack of jurisdiction.

IT IS SO ORDERED.

Dated: July 11, 2024

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE